IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

IN RE:	)	
	)	
HARVEY C. FOX	)	**Case No. 16-80658**
SSN: xxx-xx-9224	)	**Chapter 13**
	)	
18225 FORBES STREET	)	
HENRYETTA, OK 74437	)	
Debtor(s).	)	

Response to Attorney's Disclosure Statement

COMES NOW, William Mark Bonney, Standing Chapter 13 Trustee, and for his Statement in Response to the Court's Show Cause Hearing on Attorney's Disclosure Statement, provides the Court with the following information. The Trustee will provide this information in a narrative format and with exhibits that the Trustee will provide directly to the Court but will not attach to this Statement. The Trustee may offer these documents as exhibits at any hearing. The Trustee has provided them under a confidentiality agreement to Mr. Colpitts.

First and foremost, the Trustee believes that a no look fee of $5250.00 would be appropriate for this District. When the "No Look Fee" was first set by this Court it was set at $3750.00 that was in 2006. We are now in 2016, and approaching 2017. Assuming an annual inflation rate of 2.5%, the current (2016) No Look Fee would be approximately $4950.00. When the Chapter 13 No Look Fee was set at $3750 the Chapter 7 No Look Fee was $1250. Therefore, the Chapter 13 Fee was three times the Chapter 7 fee. The current Chapter 7 fee is $1750, and three times that amount would be $5250.00. The Trustee believes that the Chapter 13 no look fee should be approximately three times the Chapter 7 No Look Fee. The Trustee recognizes that this is not a scientific or loadstar based method for determining fees, however, the Trustee has significant experience in this District with the amount of time that Debtors' Counsel spend on their cases from beginning to end.

Unfortunately, the Trustee is very conflicted about whether all or even most attorneys who practice in the Eastern District of Oklahoma deserve a $5250.00. The Trustee has reviewed the list of attorneys who have filed cases in the past twelve months. The Trustee has created the table below which discusses various relevant information related to all of those attorneys:

Greg Colpitts	$300/hour	15+ years experience, certified, NACBA	Always prepared, very few mistakes on schedules, no client complaints. Cooperates and has good communication with the Trustee's office.
Jimmy Veith	$300/hour	15+ years experience, NACBA, Author	Usually prepared, very few mistakes on schedules, no client complaints but moving to Houston. Takes too long to confirm cases. Good communication with the Trustee's office. Let's creative thinking get in the way of confirming plans by drawing lots of Objections to Confirmation.
Dana McDaniel	$250/hour	Less than 15 years	Always prepared, very few mistakes on schedules, very few client complaints, cooperates with Trustee's Office. Good communication with the Trustee's office. Responsive. Gets cases confirmed quickly.
Jeff Herrick	$275/hour	15+ years, NACBA	Always prepared, very few mistakes on schedules, many client complaints, since giving up filing new cases has not monitored and worked existing cases well. Takes months to file basic pleadings. Consistently requesting more time to respond. Communicates well with the Trustee but not with Trustee's staff.

Michael Van Tassell	$225/hour	About 15 years	Usually prepared for Court and 341 meetings. Seldom gets documents to Trustee's office timely. Many client complaints. Very slow to get work done or follow up on Trustee's requests. Capable but not sufficiently attentive to cases. Almost always slow to get documents to the Trustee's office. Communicates with Trustee's office, but does not follow up well (take timely action) on that communication.
Matt Riggin	$250/hour	About 15 years	Usually has mistakes on schedules. Usually have to communicate issues on cases to him. Sometimes takes him a month to follow up or correct issues. Capable. Almost always follows up and gets cases confirmed but could do a better job. Often slow to get documents to the Trustee's office. Good communication with the Trustee's office. Few client complaints.
Ron Brown	$200/hour	Less than 15 years	Always prepared. Not always cooperative. Relatively new filer in the E.D. Adequate communication with the Trustee's office.
Pat Pate	$250/hour	About 15 years	Always has mistakes. Always fixes mistakes. Usually Trustee's office assists him with plan preparation. Cooperates with Trustee office. Very few client complaints. Currently health prevents him from doing a good job. Can be slow to get documents to the Trustee office. Good communication with the Trustee office.
Melinda Dunlap	$250/hour	15+ years	Usually has mistakes. Slow to get documents to the Trustee's office. Some client complaints. Health issues. Slow to address Trustee

			concerns. Never answers her phone and rarely returns calls timely. Will usually get issues resolved and cases confirmed.
Terry Bigby	$275/hour	15+ years	Usually has mistakes. Sometimes has many mistakes on schedules. Slow to address Trustee concerns. Does not cooperate well with the Trustee. Sometimes does not get documents to Trustee's office timely. Does not follow up well on Trustee issues. Slow to get plans confirmed. Capable attorney but performance is not consistent. Rarely in office with Trustee's calls. Few client complaints.
Stephen Bulleigh	$200/hour	Less than ten years	Usually has mistakes. Generally cooperates with Trustee office but does not always communicate effectively. Sometimes does not get documents to Trustee's office timely. Some client complaints. Seems to be capable but slow to get plans confirmed.
Tom Wright	$250/hour	About 15 years	Usually has mistakes. Sometimes has many mistakes. Slow to get cases confirmed or address confirmation issues. Communicates well with Trustee's office. No client complaints. Usually does not get documents to Trustee office timely. Trustee's office has to spend extra time assisting him/his office with plan issues to get them confirmed.
Dekovan Bowler	$250/hour	15+ years	Always has mistakes and usually has many mistakes. Almost never gets documents to Trustee's office timely. Almost always slow to follow up and slow to get plans confirmed. Trustee office almost always has to spend considerable effort to get him to

			address Trustee's objections. Some client complaints.
Brian Huckabee	$275/hour	15+ years	Always prepared. Works cases. Relatively new filer in the E.D. Cooperates with the Trustee office. No client complaints. Good communication with the Trustee's office.

The following attorneys have filed only one case in the past 12 months or are not expected to file cases in the future and therefore the Trustee has not commented on them: Mark Grober, Hillary Sadoo, Tim Wallace, James Palinkas, Robin Talley, Robert Goins, Don Brady, Michelle Matthews, James Howard, Mitchell Garrett, Richard Chapman and James Stamper. With few exceptions these attorneys are slow to get documents to the Trustee office, have multiple mistakes on schedules, do not confirm plans timely, and do not address issues in their cases timely. Most do communicate well with the Trustee's office and do cooperate but are slow to take action. Most require significant Trustee resources to assist them in obtaining confirmation.

The Trustee will provide the Court with surveys of standard fees from around the Country. A fee of $5250.00 would be consistent with fees from around the Country. The reports provided by the Trustee are not necessarily current but are the most recent detailed reports available. One exhibit provided by the Trustee shows the Court's expectations on Debtors' Counsel. Since many attorneys who file cases in this district do not adhere to these standards the Court may wish to adopt same standards or expectation.

WHEREFORE, the Trustee requests that the Court change the No Look Fee to no more than $5,250.00.

Respectfully submitted,

/s/ William M. Bonney
William M. Bonney, Trustee, OBA #12221
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CERTIFICATE OF MAILING

I, William Mark Bonney, do hereby certify that on **October 14, 2016** a true and correct copy of the **Response to Attorney's Disclosure Statement,** was mailed with proper postage prepaid thereon, to the party or parties not receiving electronic notice as set forth on the attached notice of electronic filing, and to the interested parties listed below, if any.

Harvey Fox
18225 Forbes Street
Henryetta, OK 74437

Respectfully submitted,

/s/William M. Bonney
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